

In the Matter of:)	
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Amendment of Service and eligibility Rules for)	MB Docket No. 07-172
FM Broadcast Translator Stations)	RM-11338
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To: Office of the Secretary

Comments of the Pocahontas Communications Cooperative Corporation

1. On November 6, 2007, the FCC had published in the Federal Register it's Notice of Proposed Rulemaking to allow AM broadcasters the ability to operate FM translators as fill-in service for those AM stations. The Pocahontas Communications Cooperative Corporations (PCCC) agrees with this proposal and provides comments on the rules proposed by the Commission in this Rulemaking.
2. The Pocahontas Communications Cooperative Corporation is a not for profit community supported corporation that operates 2 FM stations (WVLS, Monterey VA and WCHG, Hot Springs VA), one FM translator station (W278AL, Durbin WV), and began its operation in 1981 with it's AM station, WVMR, Frost WV. WVMR is a class D daytime-only station operating at 1370 kHz. Due to a combination of rugged, mountainous terrain, poor ground conductivity, and co-channel interference, especially during the critical hours, WVMR has never lived up to its expectation as a service to all the people of Pocahontas County WV. Early on WVMR was granted a power increase from 2500 to 5000 watts, but the improvement was nominal at best.
3. PCCC's two FM stations serve the adjacent communities of Highland and Bath Counties, Virginia. However, due to terrain blockage and National Radio Quiet Zone (NRQZ) restrictions, these FM stations do little to fill in WVMR's dead spots. Even our translator W278AL does an inadequate job of covering the communities of Durbin, Frank and Bartow WV, due to it's operation on a non-reserved frequency (103.5 MHz) and Commission rules that require direct off-the-air reception of it's source station, WVLS, whose signal is greatly attenuated by the terrain and NRQZ limits.

4. PCCC has tried in the past to obtain permission to operate FM translators to fill-in those areas underserved by WVMR, but has been denied by the Commission because there was no provision in the rules to allow such an operation. This NPRM now provides us such an opportunity.
5. In general, PCCC agrees with the concept of allowing AM stations to operate FM translators, and believes that on the whole such rule changes will serve the public interest. Such operation would allow PCCC to much more effectively serve the citizens of Pocahontas County WV via AM station WVMR. However, the FM band is already crowded enough and adding more FM translators will degrade existing services if not done in a prudent fashion. PCCC believes these proposed rules will allow this to take place.
6. Concerning section 18(a) of the NPRM, we think the rule changes should be phased in over time, with daytime and Class C AM stations allowed to apply first.
7. Concerning section 18(b), we believe option (iii) is the best way to implement the rule change. In this way, those stations with the greatest need (namely daytime only and Class C) would get “first crack” at implementing their FM translators with whatever FM channels are available. This would prevent a “land rush” of AM stations applying for the same FM channels, and would keep Class A & B AM stations from gobbling up FM channels that are needed more by the daytime and Class C stations. The public would benefit with improved coverage from the daytime and Class C stations, with little detriment seen.
8. Concerning section 18(c), we believe it would be appropriate to limit AM licensees’ ability to use FM translators only if they also own FM stations whose 60 dBu coverage contours overlap their AM station’s 2 uV/m contour by more than 50%. Such an overlap indicates the public can be adequately served by the licensee’s FM stations without adding translators for the AM station.
9. Concerning section 18(d), we believe there should be a limit to the number of fill-in translators and that number should be based on AM station class, but we suggest no specific number. In our case, ten fill-in translators should more than sufficient. We do believe that frequency reuse (i.e., multiple fill-in translators using the same frequency, such as synchronous transmitters) should not count against that limit.
10. Concerning section 18(e), we believe that only non-commercial educational (NCE) AM stations should be allowed to use reserve band channels for fill-

- in translators. The reserve band is crowded enough without adding commercial fill-in translators, and the number of NCE AM stations is low enough that addition of fill-in translators for them will have limited impact. We have no problem with letting commercial AM licensees broker time over their fill-in translators in the non-commercial band, when the associated AM station is not operating.
11. Concerning section 18(g), we see problems with allowing AM stations to simulcast and/or originate programming over an LPFM station as a fill-in service. Since LPFM service is essentially a non-commercial service, allowing a commercial AM service to provide programming to the LPFM would violate its non-commercial nature.
 12. Concerning section 19, we agree that daytime-only AM stations should be allowed to originate programming over their associated fill-in FM translators when the AM station is off the air. As the local primary EAS station for Pocahontas County WV, WVMR is unable to fulfill its EAS functions when it is off the air. WVMR frequency signs on early to provide local emergency information, such as school closings due to weather, as allowed by rule section 47CFR73.1250(f). Because of conditions cited in (2) above, we do an ineffective job of relaying that information to listeners more than a few miles from our AM station. The fill-in FM translators will allow relaying this emergency information to much more of the affected population. Finally, allowing the fill-in FM translators to stay on overnight will also allow broadcast of local events, such as high school football, soccer and baseball, county commission meetings, etc. that otherwise can not be broadcast at night.
 13. Concerning section 20, we would rather see the limitation on fill-in FM translator placement to be the *greater* of 25 miles or the 2 mV/m daytime contour of the AM station. Poor ground conductivity and mountainous terrain make WVMR's 2 mV/m contour very uneven and smaller than the average station with the same power output. Barring that, the use of M-3 ground conductivity figures mentioned in item 16 below would at least allow us to cover more underserved communities.
 14. Concerning section 20(a), we agree that some portion of the FM translator's 60 dBu contour should be allowed to exceed the 2uV/m contour of its associated AM station, and we believe that portion should be no more than 50%. WVMR has several communities that are just outside our computed 2 mV/m contour that could not be served if the fill-in translator's 60 dBu contour had to be wholly contained within the AM contour. Allowing some extension beyond the 2 mV/m contour would allow serving those communities.

15. We have no comment concerning section 20(b) proposal to extend the radius of the transmitter site to 35 miles for Zone II stations.
16. Concerning section 20(c), we believe the figure M-3 ground conductivity figures should be used in all cases. Using actual ground conductivity figures for WVMR severely reduces our 2 mV/m contour to the point that several communities could not be covered, even if the 50% extension suggested in item 13 above is applied.
17. In conclusion, the PCCC believes this rule making will provide a great benefit to WVMR and similar AM stations, as well as the listening public, and therefore recommends approval of this rule making.

Respectfully Submitted,

Pocahontas Communications
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